

AN ORDINANCE 2006-06-01-0664

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.

* * * * *

WHEREAS, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of Lot 8, NCB 14525 from "C-2" Commercial District and "I-1" General Industrial District to "C-3 S" General Commercial District with a Specific Use Permit for a Transitional Home.

SECTION 2. The City Council finds as follows:

- A. The specific use will not be contrary to the public interest.
- B. The specific use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The specific use will be in harmony with the spirit and purpose as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes or the regulations as set forth in Section 35-423, Specific Use Authorization, of the Unified Development Code.
- E. The specific use will not adversely affect the public health, safety and welfare.

SECTION 3. The City Council finds that the following conditions shall be met to insure compatibility with the surrounding properties:

A. The Transitional Home shall not be located within one thousand five hundred (1,500) feet of any public/private elementary, middle or high school, public/private children's day care facility requiring a certificate of occupancy and/or public park.

B. All structures used as part of the transitional home must have an all weather lighted sign of two (2) feet by four (4) feet message area identifying the facility as a transitional home for parolees.

C. All residents of the transitional home will be federal referrals returning to San Antonio, Bexar County.

D. There will be 127 beds pursuant to federal guidelines 20% or up to 25 residents will be permitted personal home confinement with 102-104 in residency at 4703 Goldfield. The facility will not exceed 130 beds in years 8, 9, and 10 the contract.

E. There shall be no more than two (2) parolees may be assigned to a single bedroom.

F. There must be one bedroom with two (2) separate beds available twenty-four (24) hours a day for each two (2) paroles housed within the facility.

G. A bedroom housing one (1) parolee shall have a minimum of one hundred (100) square foot of usable floor space exclusive of closets or other personal storage areas. A bedroom housing two (2) parolees shall have a minimum of one hundred fifty (150) square foot of usable floor space exclusive of closets or other personal storage areas.

H. One bathroom consisting of a tub and/or shower and one toilet, and two (2) lavatories shall be provided for each four (4) parolees housed.

I. A common room for leisure activities shall be provided at the rate of two hundred (200) square foot for the first two (2) parolees and an additional fifty (50) square foot for each additional two (2) parolees.

J. A full kitchen must be maintained and will be subject to compliance with applicable codes and inspection by the San Antonio Metropolitan Health district.

K. A rear yard area of fifty (50) square foot per parolee housed shall be provided for the occupants.

L. The transitional home shall be staffed twenty-four (24) hours a day with an average of one (1) attendant per eight (8) parolees.

M. There shall be U.S. Marshalls on-site.

N. All required parking shall be provided off-street.

O. One space per attendant and one space per six (6) parolees shall be provided.

P. Outdoor activities shall be limited to the hours of 6:00 a.m. until 9:30 p.m. seven (7) days a week.

Q. The transitional home may be considered a public nuisance if any of the following occurs:

- (1) More than two (2) police disturbance calls are recorded within a three-month period involving parolees housed at the transitional facility.
- (2) A code violation notice goes uncorrected for more than thirty (30) days; or
- (3) More than five (5) nuisance complaints from adjoining property owners are received and validated by the police department within a six-month period. If the director of code compliance determines that any of the three (3) provisions occur, he shall request that the city attorney take court action to abate the nuisance where appropriate under law.

R. The residents will be white collar, non violent offenders only.

S. No tenant or parolee may occupy the transitional home in any capacity if previously convicted of a sex oriented crime, child molestation, any violent offense and/or substance abuse offense.

T. No tenant or parolee may occupy a transitional home without first being screened for tuberculosis. The operator of the transitional home must demonstrate that any tenant or parolee testing positive for tuberculosis is of no danger to other tenants or parolees relative to possible transference or infection of said residents.


SECTION 4. The City Council approves this Specific Use Authorization so long as the attached site plan is adhered to. A site plan is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.

SECTION 5. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

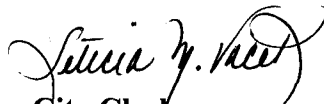
SECTION 6. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 7. This Ordinance shall become effective on June 11, 2006.

PASSED AND APPROVED this 1st day of June, 2006.

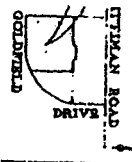

M A Y O R

ATTEST:


City Clerk

APPROVED AS TO FORM:

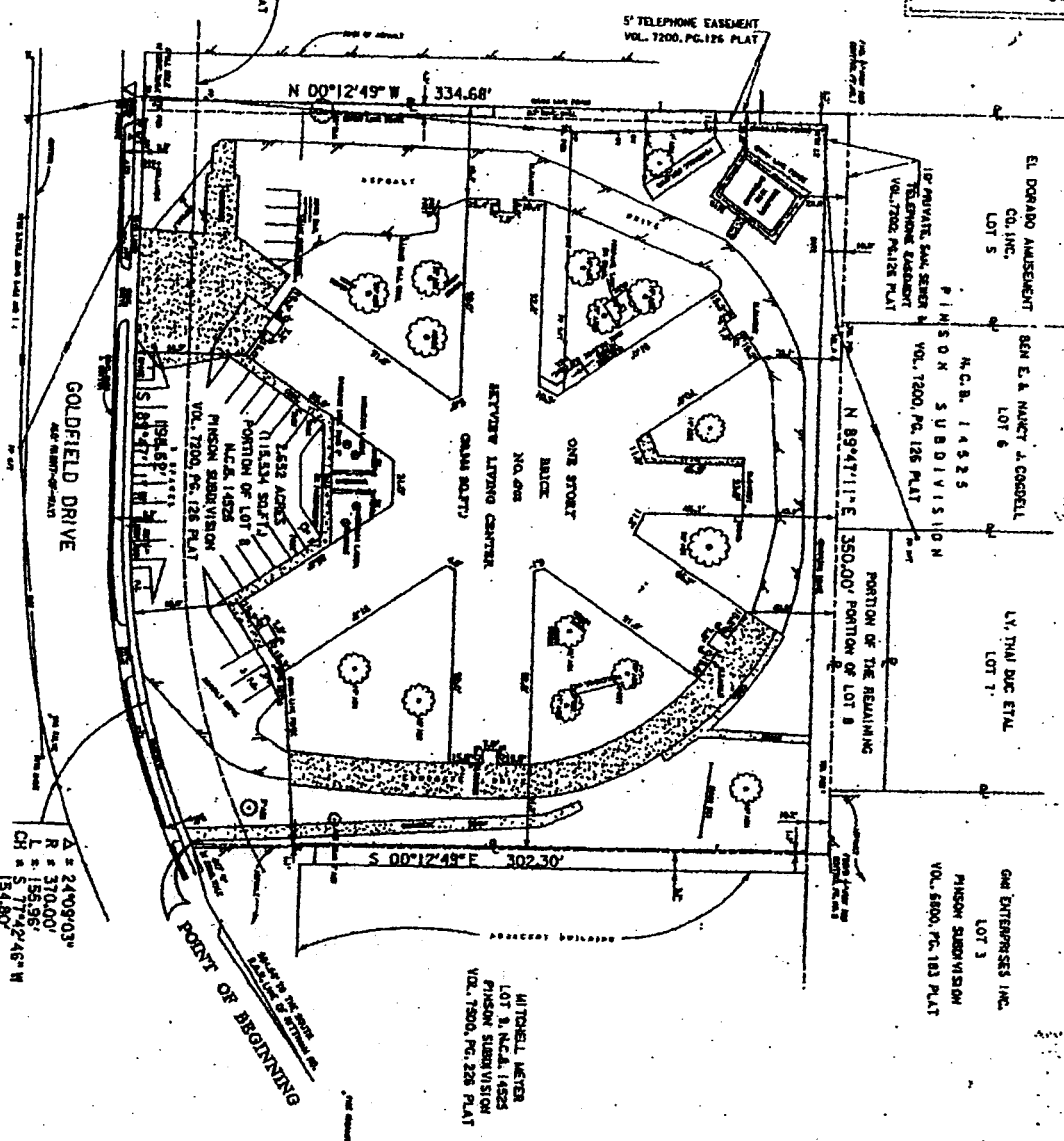

For City Attorney



VICINITY MAP
NOT TO SCALE

Z2006081

1/2, M.C.A. 14225
30th SUBDIVISION
4000, PG. 183 PLAT



1. A UNIT, SUBDIVISION OF 300 ACRES, MORE OR LESS, ADJACENT TO THE PLAT.
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NO.	DESCRIPTION	ACRES
1	LOT 1	1.00
2	LOT 2	1.00
3	LOT 3	1.00
4	LOT 4	1.00
5	LOT 5	1.00
6	LOT 6	1.00
7	LOT 7	1.00
8	LOT 8	1.00
9	LOT 9	1.00
10	LOT 10	1.00



CLARK
COUNTY CLERK

NO.	DESCRIPTION	ACRES
1	LOT 1	1.00
2	LOT 2	1.00
3	LOT 3	1.00
4	LOT 4	1.00
5	LOT 5	1.00
6	LOT 6	1.00
7	LOT 7	1.00
8	LOT 8	1.00
9	LOT 9	1.00
10	LOT 10	1.00

EXHIBIT A
To Ordinance No. _____
Passed on June 1, 2006

Agenda Voting Results

Name: Z-5.

Date: 06/01/06

Time: 07:32:34 PM

Vote Type: Multiple selection

Description: ZONING CASE #Z2006081 S (District 2): An Ordinance changing the zoning district boundary from "C-2" Commercial District and "I-1" General Industrial District to "C-3" S General Commercial District with a Specific Use Permit for a Transitional Home on Lot 8, NCB 14525, 4703 Goldfield Drive as requested by Goldfield Property Investments, Ltd., Applicant, for Goldfield Property Investments, Ltd., Owner(s). Staff and Zoning Commission recommend Approval.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4	Not present			
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10	Not present			
MAYOR PHIL HARDBERGER	MAYOR		x		

CASE NO: Z2006081 S

Staff and Zoning Commission Recommendation - City Council

Zoning Commission Continuance from April 4, 2006

Date: June 01, 2006

Zoning Commission Meeting Date: April 18, 2006

Council District: 2

Ferguson Map: 584 E4

Applicant:

Owner:

Goldfield Property Investmetns, Ltd.

Goldfield Property Investmetns, Ltd.

Zoning Request: From "C-2" Commercial District and "I-1" General Industrial District to "C-3" S General Commercial District with a Specific Use Permit for a Transitional Home

Lot 8, NCB 14525

Property Location: 4703 Goldfield Drive

Northside of Goldfield Drive between Rittiman Road and Industry Park Drive

Proposal: Transitional home

Neighborhood Association None

Neighborhood Plan: None

Traffic Impact Analysis

A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval.

The subject property is located on Goldfield Drive a collector street which is appropriate for high intensity commercial uses. The subject property has an existing commercial building. The surrounding property is currently zoned "I-1" General Industrial District and "C-3" General Commercial District. The "C-3" General Commercial District promotes a broad range of commercial operations and services necessary for large regions of the city, providing community balance. The "C-3" General Commercial District would be appropriate at this location. The transitional home does comply with the provisions of the city code of the City of San Antonio at this site.

Transitional home - A residential facility, differentiated from facilities, sometimes referred to as a rehab center and/or half-way house, which provides onsite supervised lodging for individuals who are required to reside at the facility as a term of parole or under mandatory supervision.

A transitional home established after November 17, 1997, shall not be located within one thousand five hundred (1,500) feet of any public/private elementary, middle or high school, public/private children's day care facility requiring a certificate of occupancy and/or public park. The transitional home shall be staffed twenty four (24) hours a day with one attendant per fifteen (15) parolees. Outdoor activities shall be limited to the hours of 6:00 a.m. until 9:30 p.m. seven (7) days a week. No tenant or parolee may occupy a transitional home in any capacity if previously convicted of a sex oriented crime, child molestation, and/or murder in any degree. A certified survey prepared by a licensed surveyor or licensed engineer showing distance measurements in accordance with this subsection shall be submitted to the director of development services for all transitional homes as part of the application for the certificate of occupancy.

Zoning Commission Recommendation:

Approval

CASE MANAGER : Pedro Vega 207-7980

VOTE

FOR 9

AGAINST 1

ABSTAIN 0

RECUSAL 0

Z2006081 S

ZONING CASE NO. Z2006081 S – April 4, 2006

Applicant: Goldfield Property Investments, Ltd.

Zoning Request: "C-2" Commercial District and "I-1" General Industrial District to "C-3" S General Commercial District.

Andy Guerrero, 3134 Renker, representing the owner, stated this building was once a nursing home and is now vacant and has been vacant for approximately 2 ½ to 3 years. He stated Cornell is proposing to operate a transitional home for federal offenders, white collar, and non-violent individuals. This facility will have 127 beds to 130, if needed. He further stated their stay would range from 30 to 60 to possibly 90 days. They would have 24 hour staffing consisting of 50 to 60 employees on at one time including security. He stated the individuals that would be housed at this facility would be individual that are at the end of their sentence. Cornell would seek employment for these individuals within 15 days of their arrival and they would have to maintain their employment. He stated they would also be randomly drug tested and if they test positive they would immediately be sent back into federal custody. He stated the only time these individuals would leave the premises to go to work. Their only means of transportation would be public transportation, which is located across the street from the facility. He stated Cornell has been in existence since 1970's. They have approximately 83 sites in 18 states 8 of which are in Texas. He stated they have been advised of City staff's recommendations as far limiting the property to their conditions and they are in agreement. He further stated he has been working with Councilwoman McNeil who is in support of this request.

Cristi Charles, representing Cornell, stated Mr. Guerrero has summarized their intent. She stated she would like to add that Cornell is a leading privatize correctional company that specify in 3 different arenas not only they in private secure facilities business but also in the adult community behavioral health business as well as the juvenile business. She stated they have an existing presence in San Antonio and have for the past 10 years. The State of Texas has commended them on numerous occasions and request they open many more facilities. She stated they are hoping to embark upon this endeavor providing services for returning San Antonio citizens. She stated not only would they providing a service to general females and males but also those that would be returning to San Antonio. They would be providing 30 to 60 to possibly 90 days of such services required to be productive citizens. First and foremost establishing employment within 15 days of arrival secondly establishing residency and primarily trying to insure that the necessary services and support network exist. She stated these individuals are at the end of their sentence and this would be a requirement before they return back into society. These individuals would have to meet all the requirements before that are released into society, if at any point these requirement are not met or do not abide by the rules they would automatically be sent back to the federal system. As stated by Mr. Guerrero, the individuals that would be housed at this facility would be white collar, non-violent

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individuals that would be drug related offense such as funding moneys, immigration issues, money laundering and internet crimes. She stated she understands the surrounding residents have many concerns, questions and comments with this transitional homecoming into with their community however she is and would continue to work with them. She stated they worked very hard in seeking a location away from schools, churches and with least bit of residential homes as possible however they were also seeking a location where there was public transportation available for the individuals that would be housed at this facility.

Willie Mitchell, Chairman of San Antonio Fighting Back, stated in this particular area he has transitional housing as this type. He stated he is in support of this project. He also returns such individuals back into society as Mr. Charles is proposing. He understand citizens become concerned when such facilities are brought into their neighborhood however they need to realize such individuals may already exist and may even live in their neighborhood. He feels this facility helps these individuals transition back into society. Their intent is to make them become responsible citizens by helping them seek employment, provide counseling and other services if needed before releasing them into society.

OPPOSE

Reta Nesbet, 4801 Goldfield, property manager for the mobile home park across the subject property, stated they strongly oppose this request. She stated such facility should be located in an area where there are no residential dwellings. She stated the school bus picks up the children at the bus stop, which is located in front of their mobile home park and is concerned for their safety. She understand these individuals would have to seek employment and use public transportation to get to and from work which is also utilized by the elderly and handicap citizens and is also concerned for their safety as well. She stated this facility would pose a threat to their community. Their children will not have the privilege to play outside or ride their bikes anymore. She further expressed concerns with the increase in crime. She does not feel this area is suitable for this transitional home.

Pedro Flores, 4848 Goldfield, representing The Park in Goldfield Apartment Complex, stated their complex is around the corner from the proposed site. He expressed concerns for their safety. He stated the crime rate in this area is already high and feels this would cause the crime rate to increase. He further stated he does not feel this area is appropriate for this type of facility.

Arthur Lauback, 10503 Ballerina Ct., stated he would like to echo Mrs. Nesbet and Mr. Flores comments. He strongly opposes this request as he feels this would pose a threat to their community. He stated his residence is adjacent to the proposed site.

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Buck Benson, 111 Soledad, representing Southwest Motor Transport, stated he has met with the representatives from Cornell Company with regards to their project. He stated he still has a great deal of questions and concerns about this project as well the potential impact this facility may have on his clients operation. He would like to recommend a continuance to have more time to continue dialog with Cornell in hopes of reaching an agreement.

Larry Nedrow, 4702 Goldfield, representing Kimberly Clark Association, stated he would also like to express his opposition on this project. He stated this business is a 24 operation is concerned for the safety of his employees. He stated the majority of his employees use public transportation as these individuals would be using which is another concern. He further stated this area has a high crime rate and has invested a large amount of money installing security lighting, fencing and cameras. He feels a continuance on this case would be appropriate to have more time to study this project more thoroughly.

REBUTTAL

Jane Macon, 230 W. Elsmere, stated they have had an opportunity to meet with the surrounding residents to present project however there are still some concerns that need to be addressed. She is agreeable to continue dialog with the residents between now and the time this case is presented to City Council in hopes of reaching an agreement. She further stated Cornell is in agreement with the conditions staff has recommended.

Commissioner Marshall has asked Ms. Charles for a two-week continuance and Ms. Charles has agreed.

Staff stated there were 16 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor. Staff has received a letter expressing their opposition. Staff has also received a letter from Park Village Neighborhood Association (outside the 200 foot radius) requesting a continuance on this case.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Marshall and seconded by Commissioner Martinez to recommend a continuance until April 18, 2006.

1. Property is located on Lot 8, NCB 14525 at 14703 Goldfield Drive.
2. There were 16 notices mailed, 1 returned in opposition and 3 in favor.
3. Staff recommends approval.

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**AYES: Avila, Robbins, Rodriguez, Westheimer, Gadberry, Marshall, Sherrill,
Wright, Martinez, Stribling, Gray**

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2006081 S – April 18, 2006

Applicant: Goldfield Property Investments, Ltd.

Zoning Request: "C-2" Commercial District and "I-1" General Industrial District to "C-3" S General Commercial District with Specific Use Permit for a Transitional Home.

Andy Guerrero, 3134 Renker, representing the owner, stated the purpose of this zoning change is to allow a transitional home on the subject property. He stated this case was continued from April 4th meeting to allow more time to continue dialogue with the surrounding business owners and residents from the mobile home park. He further stated they have met with Councilwoman McNeil Office and have their support.

FAVOR

Councilwoman McNeil, stated after long extensive meetings with the Mr. Guerrero and the owner of the property regarding the proposal she is in support of their request. She stated she has received a number of letters from various institutions that wish to bring in such facilities into the community. She stated is very careful in who she selects. She stated this facility would be conducive to our community. She feels this would give them an opportunity to respond to their moral responsibility to help this population. This area is mostly industrial and there are no homes are apartments within the 200 feet of the property. The organization that would be bringing this facility into the community has a great reputation throughout this city and the country. This is a non-violent, white-collar crime offender facility. She further stated in meeting with the community some concerns arose with high volume of crime in this area and they have put together a program to address those issues. She stated they have set up a meeting for May 9, 2006 to meet with the concerned citizens and the new police chief to resolve these issues.

Nancy Bowmen, 312 Walters, representing Rev. Black, stated she would like to read a letter Rev. Black has prepared. She stated they are please to have an opportunity to support an effort that would make provisions for the help that is need for persons coming out of prisons. Theses individuals have difficulty finding housing and jobs when they are release back into society. Cornell has presented their proposal and is in support as Cornell has a very good reputation throughout the city.

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Caroline Heath, 1001 N. Walters Street, executive director of Antioch Missionary Baptist Church, stated they are also in support of this transitional home. She stated they have a strong Prison Missionary at Dominguez Tate Unit with committed volunteers. They encourage the effort of Cornell to establish a halfway house in the community as assistances to those individuals transitioning from prison to being active and effective community participants with a positive behavior towards making a difference in the community. She feels the work of Cornell staff and management will be a viable asset to our community and to these individuals.

Rev. Joseph Huff, of Antioch Missionary Baptist Church, stated he would also like to express his support. He feels this facility would help these individuals adjust to society. He stated they, Antioch Missionary Baptist Church offers Ministry services as well an Adult Literacy Program where one on one tutoring in reading, writing and mathematics to the individuals that are housed in Dominguez State Prison. He further stated once these individuals are released from the Federal System it is very difficult for them to seek employment, housing and counseling services if needed as Cornell would have these services to offer. Therefore they strongly support this transitional housing.

Rev. Ralph Barcell, 14923 Rio Ranch, Chaplin for Bexar County Detention Ministries, stated they currently offer religious services to Cornell's other facilities in San Antonio. He further stated Cornell is a good neighbor and holds a very good reputation. He stated he strongly supports this request.

Debra Byers, 5223 Misty Cove, stated she is currently employed with Methodist Health Care Systems and her relationship with Cornell is that she now assists them with their acute inpatient care. She has now worked with Cornell for approximately 5 years and in that time she has learned that Cornell is a solid company in that they are very well organized and provide excellent services to these individuals. She stated she has also learned that Cornell has gained a very good reputation.

Carl Smith, 17015 Hidden Timberwood, Director of Texas Adolescent Treatment Center, stated he is familiar with Cornell's facility which provides excellent services to these individuals that would be release back into society. He stated he supports Cornell's request.

Willie Mitchell, 3651 Tuscan Drive, representing San Antonio Fighting Back, stated they strongly support this request. He stated they feel these transitional homes help these individuals transition back into society. Cornell is a very well organized facility as it provides services such and employment placement, counseling service, if needed, and also help them become a better citizen.

Cristi Charles, representing Cornell, stated they are a principal driven company. As a reminder, Cornell houses white collar, non violent criminals such as internet predators, money laundering and other small crime. She stated they provide a number of services for these individuals, such as employment placement, establishing residency, medical and counseling services if needed. She stated Cornell does random drug testing and at any point should they test positive they are immediately returned to the Federal System. She stated they have an existing presence in San Antonio and have for the past 10 years and the State of Texas has commended them on numerous occasions and request they open many more facilities. They would be providing 30 to 60 to possibly 90 days of such services required to be productive citizens. She stated the individuals that would be housed at this facility are individuals that are at the end of their sentence and this would be a requirement before they return back into society. These individuals would have to meet all the requirements before that are released into society, if at any point these requirement are not met or do not abide by the rules, they would automatically be sent back to the federal system. As for staffing, should this request be approved Cornell would be hiring 44.4 individuals from the San Antonio area to manage this facility.

OPPOSE

Victor Villarreal, 4886 Castle Lance, representing East Village Neighborhood Association, stated he is very concerned with such facility entering their community. He feels this would threaten their safety. Cornell continuously claims that this area is industrial however right across the street from the proposed facility is a mobile home park that the majority of the residences are elderly and or disabled. He also expressed concerns for the safety for the children in the community. There is a school bus that picks up and drops off students immediately across the mobile home park which would be a Cornell's facility. He is also very concerned with the existing crime rate and drug trafficking in the neighborhood. These individuals that would be housed in the facility are recovering drug citizens and exposing them to this drug infested feels is inappropriate as they are trying to recover. He further stated the response time for SAPD is incredibly ridiculous. At time it almost takes them an hour or more at which time it is extremely too late. He feels these issues should be addressed before such facility is in operation.

Arthur Laubacz, 10503 Ballerina, stated he is very concerned with the proposed facility. This area is a very highly crime infested area in the city. He attended the meeting with Councilwoman McNeil and Cornell representative at which he brought this issue up. Cornell stated these individuals would be utilizing public transportation for employment purposes however not even the children can not go out to play without being solicited for drugs. How would these recovering individuals react to such activity? He stated he would also like to add that the response time for SAPD or emergency units is absurd.

Pedro Flores, 4848 Goldfield, representing The Park in Goldfield Apartment Complex, stated they strongly oppose this request. He stated they have been in contact with Cristi Charles and reviewed a large volume of materials provide by Cornell in an effort to understand this proposal. The Park of Goldfield Apartment Complex still can not support this request as they are concerned for their safety and the safety of their tenants. Cornell has mentioned these individuals would have to seek employment and would be released to utilized public transportation to leave to work. The bus stop that these individuals would be utilizing would also be utilized by the surrounding residents, mainly elderly and or disabled. He also expressed concerns with the high volume of crime and drug trafficking in the neighborhood. How would these individuals expect to adjust to such activities? What if they get propositioned? These are all factors that they feel Cornell should consider.

Rita Nisbet, 4801 Goldfield, representing the mobile home park, stated they still strongly oppose this request. She stated they did not attend the meeting with Councilwoman McNeil as it was very short notice. She has collected a petition of the residents expressing their opposition.

Debra Garner, 4801 Goldfield, stated she is a resident of the mobile home park. She is very concerned that such facility is entering their community. She stated the majority of the residents that reside in the mobile home park are elderly or disabled which is their main concern. She stated as mention by the pervious speakers this is a very highly crime and drug trafficking area and putting such individuals in this community would only defeat the purpose of becoming better citizens.

Rita Nisbet, 4801 Goldfield, stated she fears for the children's safety in the community as her son was recently proposition for drugs. If the activity is happening now with the existing residents how are Cornell residents suppose to become better citizens.

Ho Xong Fox, 4732 Rittiman Road, stated strongly opposes this request. She stated there is already enough crime in the area and feels this would only add to their problem.

Theresa Coward, 4732 Rittiman Road, stated she is concerned for their safety. She understands these individuals need help in reverting back into society however this is a very bad area as it is a very high crime neighborhood and infested with drug activity.

Tom Gaffney, 115 St. John, stated he supports helping these individuals however he does not feel this area is appropriate for this facility. As the previous speakers have mentioned, this area is drug infested and very high crime area which makes it inappropriate to house recovering addictions and small crime individuals. This would only taunt these individuals that are in the process of becoming better citizens.

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REBUTTAL

Andy Guerrero, 3134 Renker, representing the owner, stated as far as the neighborhood association their intent is to continue dialog between now and the time this case is considered before Council. Their intent is to be a good neighbor and intend to address all their concerns. He stated the individuals that would be housed in Cornell's facility do have time constraints and as they return to the facility they would be drug tested and again if test returns positive they with no question would be immediately returned to the Federal System.

Cristi Charles, representing Cornell, stated the differentiation of white collar and blue collar is the act of violence. The white collar tend to be less violate and higher intellectual crime. As part of the requirement to reside at this facility they would have to seek employment within 15 days upon arrival. When these individuals return to the facility after work, they would be drug test daily and if tested positive they would immediately returned to the prison system.

Staff stated there were 16 notices mailed out to the surrounding property owners, 3 returned in opposition and 1 returned in favor.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Marshall and seconded by Commissioner Gadberry to recommend approval.

1. Property is located on Lot 8, NCB 14525 at 14703 Goldfield Drive.
2. There were 16 notices mailed, 3 returned in opposition and 1 in favor.
3. Staff recommends approval.

AYES: Avila, Robbins, Gadberry, Marshall, Sherrill, Wright, Martinez, Stribling, Gray

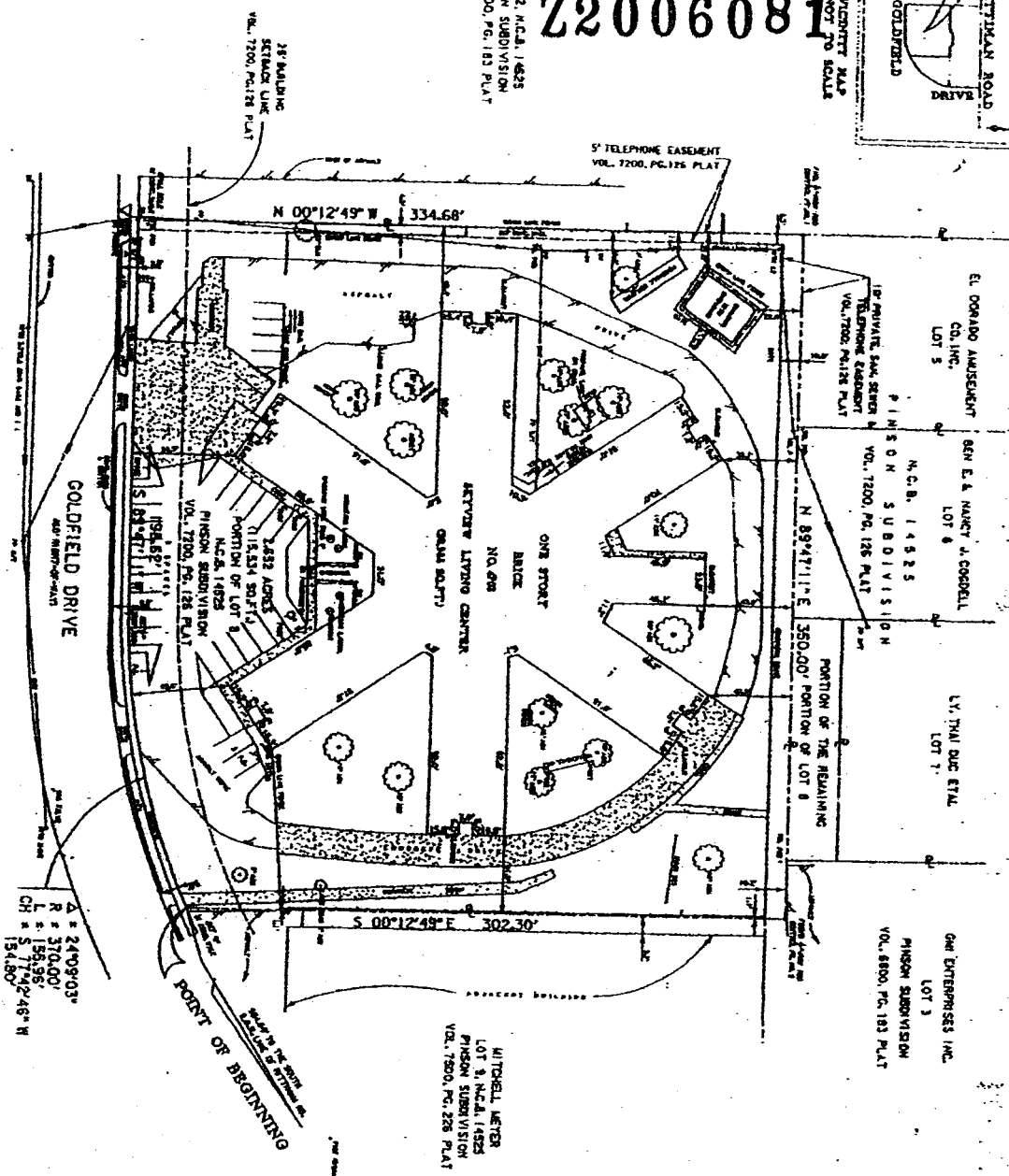
NAYS: Rodriguez

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

Z200608:



1. NAME (Last, first, middle): FRANK MARVIN BROWN
2. DATE OF BIRTH: 11/1/1941
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100. DATE OF DEATH: 1941

THE SUBJECT PROPERTY IS LOCATED IN AREA 7-4, ZONING IS THE
 1. RESIDENTIAL-GENERAL, PREVIOUSLY RECORDED IN DEEDS, BOOK 27, PAGE 27, AND
 VOLUME 318, PAGE 115 OF THE BOOK RECORDS OF KANE COUNTY, ARIZONA.

— PLAIN TEXT —

THE SUBJECT PROPERTY IS LOCATED IN AREA 7-4, ZONING IS THE
 1. RESIDENTIAL-GENERAL, PREVIOUSLY RECORDED IN DEEDS, BOOK 27, PAGE 27, AND
 VOLUME 318, PAGE 115 OF THE BOOK RECORDS OF KANE COUNTY, ARIZONA.

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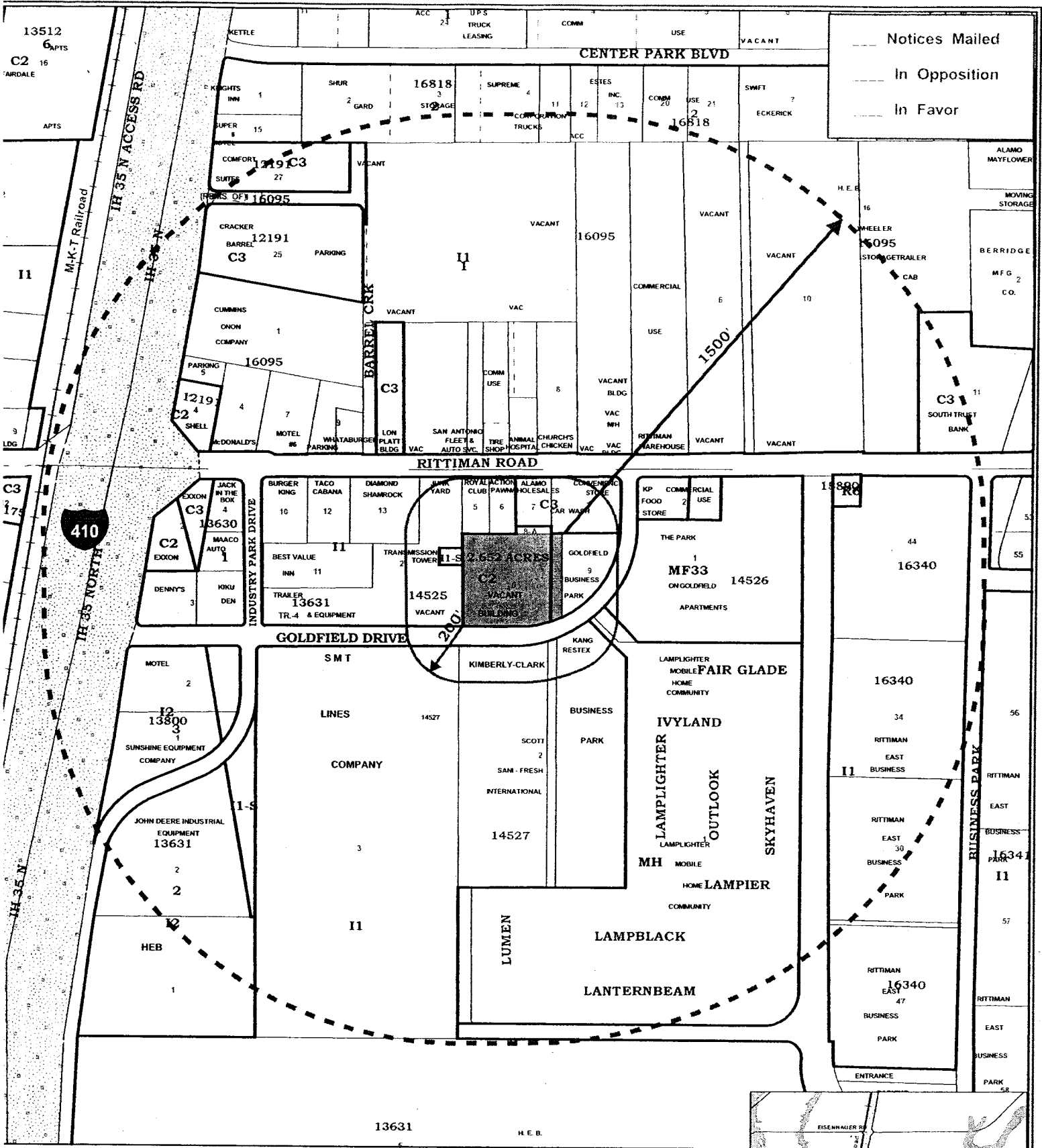
1. The undersigned hereby represents and warrants that the title of these papers and documents is correct and that the same are the property of the undersigned and are not subject to any lien or claim in favor of any other person.
2. The undersigned hereby represents and warrants that the undersigned is the owner of the property and is entitled to dispose of the same in any manner and to any extent.
3. The undersigned hereby represents and warrants that the undersigned is not aware of any claim or demand against the property or any part thereof.
4. The undersigned hereby represents and warrants that the undersigned is not aware of any claim or demand against the property or any part thereof.
5. The undersigned hereby represents and warrants that the undersigned is not aware of any claim or demand against the property or any part thereof.
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8. The undersigned hereby represents and warrants that the undersigned is not aware of any claim or demand against the property or any part thereof.
9. The undersigned hereby represents and warrants that the undersigned is not aware of any claim or demand against the property or any part thereof.
10. The undersigned hereby represents and warrants that the undersigned is not aware of any claim or demand against the property or any part thereof.



Confidential
A. Brown Case
November 22, 1968

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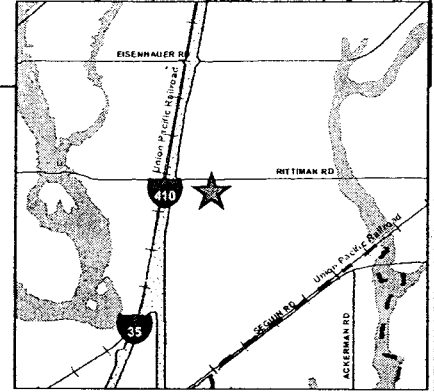
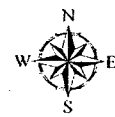


--- Notices Mailed
 --- In Opposition
 --- In Favor

ZONING CASE: Z2006-081 S

City Council District No. 2
 Requested Zoning Change
 From "C-2" and "I-1"
 To "C-3" S
 Date: June 1, 2006
 Scale: 1" = 500'

■ Subject Property
 ○ 200' Notification



~~CONFIDENTIAL - CORNELL COMPANIES~~

- Cornell Companies, Inc. (Cornell) is a publicly traded company headquartered in Houston Texas, which currently has two adolescent facilities in San Antonio.
- Cornell is a leading national provider of corrections, treatment and educational services to government agencies.
- Cornell is committed to the safety and security of their facilities as well as respectful and dignified interaction between Cornell Staff and the individuals who are in their facilities.
- Cornell aims to create environments conducive to making positive life changes by the use of innovative programs, services and individualized treatment plans.
- Cornell's proposed site in San Antonio is located at 4703 Goldfield, San Antonio, Texas 78218. Cornell will build-out, in an existing 29,000 square foot space, a community transitional housing facility. The residents which will be housed in the Goldfield Facility will be:

1. White-collar
2. Non-violent [offenses committed by deceit not by force] [no offender convicted of substance abuse or sexual offense]
3. Federal Referrals Only
4. Returning San Antonians

- The Goldfield Facility will be the last stop for federal offenders before release.

- The Transitional Home will contain:

- ② • 127 Beds (pursuant to Federal Guidelines 20% or up to 25 residents will be permitted personal home confinement with 102-104 in residency at 4703 Goldfield) (the facility will not exceed 130 Beds in Years 8, 9 and 10 of contract)
- 24/7 Supervision
- U.S. Marshalls and U.S. Probation Officers On-Site
- Formalized Intake Procedures
- Established Code of Conduct for Residents
- Licensed Food Services
- Coordination of Drug Testing and Breathalyzer Testing
- All Residents must be Employed Within Two Weeks of Arrival
- All Residents must take part in the Financial Responsibility Program
- Ancillary Programs will be offered to all residents regarding:
 - Parenting/Family
 - Cultural Diversity

Zoning Case No: Z2006081 S

"C-3" S GENERAL COMMERCIAL DISTRICT WITH A SPECIFIC USE PERMIT FOR A TRANSITIONAL HOME WITH CONDITIONS.

CORNELL COMPANIES, INC. agrees to the following conditions and restrictions upon the granting of the captioned zoning district and specific use permit:

All provisions as outlined in Section 35-394 Transitional homes of the City of San Antonio Development Code which are listed as follows:

1. 4703 Goldfield Drive, site of proposed Transitional Home shall meet the one thousand five hundred (1500) foot distance requirement of public/private elementary, middle or high school, public/private children's day care facility requiring a certificate of occupancy and/or park.
2. Provide a certified survey prepared by a licensed surveyor or licensed engineer showing compliance of provision 1 will be provided as part of the certificate of occupancy application.
3. Provide all weather lighted signs of two (2) feet by four (4) feet message area identifying the facility as a transitional home for offenders will be provided.
4. No more than two (2) offenders may be assigned to a single bedroom.

5. One bedroom with two (2) separate beds must be available twenty-four (24) hours a day for each two (2) offenders housed within the facility.
6. A bedroom housing one (1) offender shall have a minimum of one hundred (100) square foot of usable floor space exclusive of closets or other personal storage areas. A bedroom housing two (2) offenders shall have a minimum of one hundred (150) square foot of usable floor space exclusive of closets or other personal storage areas.
7. One bathroom consisting of a tub and/or shower and one toilet, and two (2) lavatories shall be provided for each four (4) offenders housed.
8. A common room for leisure activities shall be provided at the rate of two hundred (200) square foot for the first two (2) offenders and an addition fifty (50) square foot for each additional two (2) offenders.
9. A full kitchen must be maintained and will be subject to compliance with applicable codes and inspection by the San Antonio Metropolitan Health District.
10. A rear yard area of fifty (50) square foot per resident housed shall be provided for the occupants.
11. The transition home shall be staffed twenty-four (24) hours a day with one attendant per fifteen (15) residents.
12. All required parking shall be provided off-street
13. One space per attendant and one space per six (6) offenders shall be provided.
14. Outdoor activities shall be limited to the hours of 6:00 a.m. until 9:30 p.m. seven (7) days a week.

15. The transitional home may be considered a public nuisance if any of the following occurs:
- More than two (2) police disturbance calls are recorded within a three-month period involving offenders housed at the transitional facility.
 - A code violation notice goes uncorrected for more than thirty (30) days; or
 - More than five (5) nuisance complaints from adjoining property owners are received and validated by the police department within a six-month period. If the director of code compliance determines that any of the three (3) provisions occur, he shall request that the city attorney take court action to abate the nuisance where appropriate under law.
16. No tenant or offender may occupy a transitional home in any capacity if previously convicted of a sex oriented crime, child molestation, and/or murder in any degree.
17. No tenant or offender may occupy a transitional home without first being screened for Tuberculosis. The operator of the transitional home must demonstrate that any tenant or offender testing positive for Tuberculosis is of no danger to other tenants or offenders to transference or infection of said residents.

In addition to the above code requirements, the Applicant has agreed the Transitional Home will also have the following:

- 1) **Advisory Board Composed of Elected Officials, Community Leaders, Neighborhood Association Representatives and Local Property Owners**

- ~~2)~~ Staffing exceeding the Special Use Permit Requirements (on average, approximately 8:1)
- 3) Staffing Coverage 24/7
- 4) Special Security Lighting and Security Fencing
- 5) Applicant agrees to work with Council Woman McNeil and area property owners to ensure adequate and safe pedestrian access to mass transit.

NEIGHBORHOOD PLAN AND ZONE AMENDMENTS

May 18, 2006

4:00 P.M.

Item #Z-5. Case#Z2006081 S (District 2)

Persons who wish to speak on multiple Planning/Zoning Cases will be heard at the time each case is called. Each person is allowed three (3) minutes to address City Council, and each organization is allowed nine (9) minutes to address City Council. Persons who sign up to speak on an item will be given the opportunity to speak, if so desired, before the consent list is approved.

FOR	AGAINST	NAME and ORGANIZATION	GROUP SPOKESPERSON? (If yes, list name)	ADDRESS	AUDIOVISUAL ASSISTANCE? YES or NO
✓		Antioch Bapt Church	Joseph Huff	1001 N. Walters St	NO
✓		Ant 2,000	Nancy Bohm	3123 Walters St	NO
✓		Willie Mitchell	S.A.F.B	2803 E Commerce	NO
✓			Jane H. May	230 W. Elmer	NO
✓		Christ Church	Cornell	2014 Winding Hollow Drive	NO
✓		ANTIOCH COMMUNITY		210 S. GRIMES	NO
✓		CAROLYN HEATH		3134 Renker	NO
✓		Andrew Groussard			NO
	X		Arthur Sauter	16503 BALLESTERA	
X			Ralph Roush	14923	NO
	✓		Paris Hodge	140 Donna	yes
		Buck Benson		111 Soledad Suite 111	NO
✓	X	Julie Still	Julie Still	8588 Katy Freeway, Ste. 240	NO
		Park on Goldfield Arts		Houston, TX 77024	NO
✓		Beth Conder	Methodist Specialty & Transplant	8026 Floyd Curl	NO
✓		Carl Smith		8550 The Blue Pl.	NO
✓		Cornell Co.			NO
✓		Carol H	Ken Brown	H 2 E. Dean	NO
	X	Parker Goldfield	James Flores	4608 Goldfield	NO
✓			Bryce Seki	439 Paseo Encinal	NO
		Booby Perez		600 Navarro	YES

Those who wish to address City Council must sign-up in person by the specified deadline and may not sign-up for another person. A Person who grants his/her speaking time to another must be present when the person receiving the time is called to speak. Organizations must be represented by three (3) persons, all of whom must be present when the spokesperson speaks. Those who sign up as part of an organization will have their segment count as part of the nine (9) minute total. *CMO AG – 1.6-2001*

Z-5

RECEIVED
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CITY CLERK

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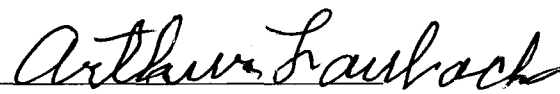
May 31, 2006


Councilwoman Sheila McNeil
City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283

RE: Zoning Case #Z2006-081S

Dear Councilwoman McNeil:

We own property at 4641 Goldfield Dr., San Antonio, Texas. We protest zoning case Z2006-081S for the property at 4703 Goldfield Dr., San Antonio, Texas.


Arthur Laubach


Eunice Laubach